UNITED NATIONS **S**

Security Council

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S/1998/825
1 September 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 1 SEPTEMBER 1998 FROM THE REPRESENTATIVES OF CAPE VERDE AND CÔTE D'IVOIRE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to transmit to you herewith the Portuguese, French and English versions of the following documents:

- The ceasefire agreement, and its appendices I and II, concluded between the Government of Guinea-Bissau and the Self-denominated Military Junta and co-signed by the Committee of Seven of the Economic Community of West African States (ECOWAS) and the Contact Group of the Community of Portuguese-speaking Countries (CPLP) at the end of a meeting held at Praia, Cape Verde, on 25 and 26 August 1998 (see annex I);

- The final communiqué of the joint Economic Community of West African States (ECOWAS)/Community of Portuguese-speaking Countries (CPLP) consultative meeting on the situation in Guinea-Bissau, held at Praia on 25 and 26 August 1998 (see annex II).

We should be grateful if you would have these documents distributed as a document of the Security Council.

(Signed) Bernard TANOH-BOUTCHOUE
Chargé d'affaires a.i. of the
Republic of Côte d'Ivoire to the
United Nations

(Signed) José LUIS MONTEIRO
Permanent Representative of the
Republic of Cape Verde to the
United Nations

Annex I

[Original: English and French]

Ceasefire agreement in Guinea-Bissau

Under the joint chairmanship of the Economic Community of West African States (ECOWAS) and the Community of Portuguese-Speaking Countries (CPLP), the Government of Guinea-Bissau and the Self-denominated Military Junta met in Praia on 25 August 1998 and decided to transform the truce agreed upon in the Memorandum of Understanding signed at Bissau on 26 July 1998 into a ceasefire based on the following principles:

Article 1

The Government of Guinea-Bissau and the Self-denominated Military Junta agree to an immediate ceasefire based on the principles indicated below:

(a) Reaffirmation of the public recognition of democratic institutions and legality;

(b) Freezing of their respective military positions held at the time of the entry into force of the Memorandum of Understanding of 26 July 1998;

(c) Reopening the Osvaldo Vieira Airport in order to facilitate the viability of humanitarian aid, the logistic support to the ceasefire observation mission and the return of refugees;

(d) Deployment of observation and interposition forces, to be defined through negotiations;

(e) Strengthening of the opening of humanitarian corridors;

(f) Creation of conditions which may facilitate the return of refugees and resettlement of displaced persons.

Article 2

Annexes I and II to the Memorandum of Understanding dated 26 July 1998 are an integral part of this Agreement.

Article 3

This Agreement will enter into force on 26 August 1998, at 2 a.m.

DONE at Praia, 26 August 1998.

For the Government of the Republic of Guinea-Bissau:

(Signed)

For the Self-denominated Military Junta:

(Signed)

For the ECOWAS Group of Seven:

(Signed)

For the CPLP Contact Group:

(Signed)

Appendix I

Appendix relative to the understanding of paragraph 1 (c) of the Memorandum of Understanding of 26 July 1998 between the Government of Guinea-Bissau and the Self-denominated Military Junta

For the purposes of subparagraph (c) of paragraph 1 of the Memorandum of Understanding of 26 July 1998 between the Government of Guinea-Bissau and the Self-denominated Military Junta, establishing a formal and immediate truce, and the launching of the negotiations, both Parties agreed on the following:

1. To freeze their respective military positions held at the time of the entry into force of the truce established in the Memorandum of Understanding;

2. To engage in the withdrawal of the respective military forces from the Mansoa area, as soon as the interposition or observation force is deployed in the said area. This military interposition or observation force shall secure and guarantee the demilitarization of Mansoa area until a final solution is reached through the negotiation process, also established in the said Memorandum of Understanding.

Bissau, 26 July 1998.

For the Government of the Republic of Guinea-Bissau:

For the Self-denominated Military Junta:

For the Contact Group of the Community of Portuguese-speaking Countries (CPLP):

Appendix II

Declaration

The Self-denominated Military Junta declares, before the Contact Group of the Community of Portuguese-speaking Countries (CPLP), to be in the disposition of laying down arms under the terms to be defined in the context of a peaceful resolution of the conflict.

Bissau, 26 July 1998.

For the Self-denominated Military Junta:

Annex II

[Original: English and French]

Final communiqué of the joint Economic Community of West African States (ECOWAS)/Community of Portuguese-speaking Countries (CPLP) consultative meeting on the situation in Guinea-Bissau, held at Praia, Cape Verde, on 25 and 26 August 1998

1. A joint meeting of the Ministers of Foreign Affairs of Member States of the ECOWAS Committee of Seven on Guinea-Bissau and the Community of Portuguese-speaking Countries (CPLP) Contact Group was held at Praia, Republic of Cape Verde, on 25 [and 26] August 1998, under the joint chairmanship of the Ministers for Foreign Affairs of Côte d'Ivoire and Cape Verde, Messrs. Amara Essy and José Luis Jesus. The aim of the meeting was to coordinate their mediation efforts, within the framework of ECOWAS, aimed at restoring peace in Guinea-Bissau.

2. The following member States were present at the meeting:

ECOWAS member States

- Republic of Côte d'Ivoire
- Republic of The Gambia
- Republic of Guinea
- Federal Republic of Nigeria
- Republic of Senegal

CPLP member States

- Republic of Angola
- Federative Republic of Brazil
- Republic of Cape Verde
- Republic of Mozambique
- Republic of Portugal
- Republic of Sao Tome and Principe

3. Representatives of the ECOWAS and CPLP secretariats also participated in the meeting.

4. The representative of the Secretary-General of the United Nations was present at the meeting, on special invitation.

5. Also present at the meeting were representatives of the Government of the Republic of Guinea-Bissau and the Self-denominated Military Junta.

6. The participants exchanged views and held frank and constructive discussions with regard to their joint mediation efforts of the crisis in Guinea-Bissau.

7. During the meeting, the ECOWAS Committee of Seven and the CPLP Contact Group agreed on a common strategy to be adopted during the negotiations.

8. The participants exchanged views on political and military matters as well as issues relating to regional security.

9. The meeting sought the views of the parties to the conflict on the proposed agenda. No amendments were made.

10. The meeting noted with satisfaction that the parties to the conflict had agreed to a truce, brokered by CPLP, and commended CPLP for its efforts.

11. In order to consolidate the fragile peace now holding in Guinea-Bissau and ensure that it is not short-lived, the parties to the conflict, encouraged by the ECOWAS Committee of Seven and the CPLP Contact Group, agreed to transform the current truce into a ceasefire.

12. The representatives of the Government of Guinea-Bissau and the Self-denominated Military Junta then proceeded to sign the ceasefire agreement.

13. The meeting also agreed on the need to put in place a mechanism to supervise and monitor the ceasefire. The modalities for its implementation will be finalized during the next meeting.

14. The Government of Guinea-Bissau and the Self-denominated Military Junta considered the issue of the Osvaldo Vieira airport which remained closed and agreed on the need to reopen it in order to:

- Ease the movement of humanitarian aid;

- Provide the logistic support for the ceasefire observer team;

- Facilitate the return of refugees and displaced persons.

15. The meeting called on the international community to assist the people of Guinea-Bissau.

16. The ECOWAS Committee of Seven and the CPLP Contact Group agreed that their next meeting will be hold in Côte d'Ivoire on 12 September 1998.

17. This will be preceded by a meeting of Chiefs of Staff or military experts of States members of the Committee of Seven and the CPLP Contact Group which will be held on 10 September to consider the technical, logistic and operational aspects of the observer team for the monitoring of the ceasefire and the interposition forces with respect to the establishment of a buffer zone along the Senegal/Guinea-Bissau borders.

18. The ministerial meeting will consider:

- The continuation of discussions on the issues under negotiation;

- The establishment of an observer team; and

- The composition and all other aspects relative to the deployment of the interposition forces under the framework of the establishment of a buffer zone along the Senegal/Guinea-Bissau borders.

19. The ECOWAS Committee of Seven and the CPLP Contact Group expressed their profound gratitude to His Excellency, Mr. António Mascarenhas Monteiro, president of the Republic, the Government and the people of Cape Verde for the kind hospitality extended to them and for the excellent facilities put at their disposal to ensure the success of their meeting.

DONE at Praia this 25th day of August 1998.

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2 September 1998

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GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 1 September 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government I have the honour to draw your attention to new provocative and unacceptable Turkish actions which undermine the very basis of the high-level agreements and resolutions of the United Nations, in particular those of the Security Council, concerning Cyprus and to transmit herewith the text of a statement by the President of the Republic of Cyprus, Glafcos Clerides, as issued on 31 August 1998. The President's statement is in reply to the Turkish Cypriot Leader Rauf Denktash's proposal for a solution to the Cyprus problem made in Cyprus in the presence of the Turkish Foreign Minister, Ismail Cem.

I should point out that the high-level agreements, signed by Mr. Denktash himself, and the resolutions of the Security Council, as the Council has repeatedly reaffirmed, are the basis for the settlement talks of the Cyprus problem. Mr. Denktash's proposal, ab initio unacceptable, runs in blatant violation and disregard of the dictates of the United Nations resolutions and is an affront to the United Nations Organization and the international community as a whole. The said proposal was made in the presence of the Foreign Minister of Turkey during an illegal visit in the occupied part of the Republic. The visit itself is in direct defiance of Security Council resolutions, and such actions have been condemned by the Security Council.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) James DROUSHIOTIS
Chargé d'affaires a.i.

98-25567 (E) 020998

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Annex

Statement made by the President of the Republic of Cyprus on 31 July 1998

The President of the Republic, Glafcos Clerides, made the following statement today in reply to the statement made by Turkish Cypriot leader Rauf Denktash in the presence of the Turkish Foreign Minister, Ismail Cem, in which he puts forward proposals for a solution to the Cyprus problem:

"It is obvious that the intention of the Turkish Government and Mr. Denktash is to turn Cyprus from an independent and sovereign State into two protectorates, which will be subject not only to the unacceptable restrictions imposed by the Treaty of Guarantee but to other worse one-sided restraints and restrictions, such as those included in the association agreement between Turkey and the occupation regime, which has already been deplored.

"Mr. Denktash's proposal is contrary to the high-level agreements and United Nations resolutions, in particular, the recent Security Council resolution which reaffirms the basis for settlement talks.

"Mr. Denktash repeats demands that he has made in talks so far, which would lead to a confederal solution, in spite of the fact that the talks aimed at a federal solution. We have repeatedly denounced these absurd demands by Mr. Denktash to the Security Council, the Secretary-General and the international community in general, who have all expressed their strong objection to them.

"Under no circumstances can Mr. Denktash's proposal form a basis for talks, as it is unacceptable right from the start. It is also contrary to and contemptuous of the resolutions of the United Nations on Cyprus, the high-level agreements that Mr. Denktash himself has signed, the substance and spirit of international law and all the international organizations that have deplored the Turkish side's attempt to question the independence and sovereignty of the Republic of Cyprus."

The President of the Republic, reaffirming his insistence on talks based on the United Nations resolutions, has already given instructions for the convening of the National Council on Monday, 7 September, to consider the further policy to be adopted on account of the unacceptable Turkish action. At the same time, the President of the Republic has stated that he expects the international community to react directly to Turkey's new provocative action.

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8 September 1998

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Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 1 September 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

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I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) James DROUSHIOTIS

* Reissued for technical reasons.

98-26200 (E) 090998

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Chargé d'affaires a.i.

Annex

Statement made by the President of the Republic of Cyprus on 31 August 1998

The President of the Republic, Glafcos Clerides, made the following statement today in reply to the statement made by Turkish Cypriot leader Rauf Denktash in the presence of the Turkish Foreign Minister, Ismail Cem, in which he puts forward proposals for a solution to the Cyprus problem:

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UNITED NATIONS **S**

Security Council

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S/1998/827
2 September 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 31 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a copy of the memorandum on the armed aggression by the Rwandan-Ugandan coalition against the Democratic Republic of the Congo.

I should be grateful if you would have this note distributed as a document of the Security Council.

(Signed) André MWAMBA KAPANGA
Ambassador
Permanent Representative

98-25584 (E) 030998 030998

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Annex

Memorandum dated 31 August 1998 on the armed aggression by the Rwandan-Ugandan coalition against the Democratic Republic of the Congo

I. STATUS OF THE ISSUE

1. Pursuant to Article 35 of the Charter, the Democratic Republic of the Congo wishes to draw to the attention of the United Nations Security Council the fact that, since 3 August 1998, it has been the object of an aggression by the regular armies of Rwanda and Uganda in its provinces of North Kivu, South Kivu and Lower Congo and in its Eastern province.

2. This aggression, perpetrated by two United Nations Member States against another Member State, poses a serious threat to peace and security in the Central African region in general and in the Great Lakes region in particular.

3. The violation of the sovereignty and territorial integrity of the Democratic Republic of the Congo and the grave violations of the fundamental rights of the Congolese population and of the elementary rules of international humanitarian law by the aggressor countries in the conflict zones must elicit a response from the Security Council, whose primary mission under the Charter of the United Nations is the maintenance of international peace and security.

4. The Congolese Government draws the attention of the Security Council to the fact that the massive influx of Rwandan Hutu refugees into the eastern provinces of the Congo in 1994, after the Tutsi seized power in Kigali, further exacerbated the security problem on the Congolese-Rwandan border. The actions of the Ugandan rebels (Army of the Lord) in the area near the Congolese-Ugandan border also added to the instability in the Great Lakes region.

5. The liberation war which culminated on 17 May 1997 in the fall of President Mobutu's dictatorship was waged by the Alliance des Forces Démocratiques pour la Libération du Congo (AFDL), with political and military backing from friendly countries, including Rwanda, Burundi, Uganda, Eritrea, Angola, Zambia and South Africa.

6. Before that war, Rwanda and Uganda had, in their liberation struggle, benefited from the political and military support of Congolese combatants trained and led by Laurent-Désiré Kabila, then Chairman of PRP, a party belonging to the opposition to President Mobutu's regime.

7. The two countries were to benefit from the assistance which they gave to the Congolese liberation war, for it removed from their borders tensions that were threatening their security. In particular, it neutralized the threat posed to them by elements of the former Rwandan Armed Forces (ex-FAR), rebel Hutu elements (Interahamwe armed militias) and Ugandan rebels.

8. Fifteen months after AFDL assumed power, Kabila, President of the Democratic Republic of the Congo, judging that order and security had been

restored within the Congo's borders, decided to put an end to the Rwandan military presence within the Congolese Armed Forces (FAC).

9. This sovereign decision by the Congolese Government, which the Rwandan Government moreover says it approved, was, for the Ugandan-Rwandan coalition, one of the triggers of the armed conflict against the Democratic Republic of the Congo.

10. The second trigger was fear of the presentation to the United Nations Secretary-General, between now and 15 October 1998, of an interim report on steps taken by the Government of the Democratic Republic of the Congo in response to the request by the Security Council that it investigate the massacres, other atrocities and violations of international humanitarian law committed in the Democratic Republic of the Congo and that it bring the culprits to justice (S/PRST/1998/20). Testimony now gathered implicates those chiefly responsible for these reprehensible acts, identifying them as ringleaders and spokespersons of the Rwandan-Ugandan coalition.

II. ORIGIN OF THE CONFLICT

11. The present conflict in the Democratic Republic of the Congo has its origins in the diversity and complexity of the African continent, which was formerly under colonial domination. Colonialism was to mark social relations among populations and States in this part of the world for a long time to come.

12. The underlying causes of the present conflict are to be found in Rwanda, a small, landlocked country with modest living conditions and a population composed essentially of three ethnic groups, namely, the Hutu majority and the Tutsi and Twa minorities.

13. Rwanda's considerable population density poses a problem of living space and its small dimensions create a host of problems, the main one being the ownership of arable and grazing land. This land problem is at the root of the many civil wars that have marked Rwanda's colonial and recent history.

14. As a means of easing its difficulties in the face of a hostile natural environment compounded by inter-ethnic strife, Rwanda took advantage of its Congolese neighbour's legendary hospitality by encouraging its own population to emigrate to the more hospitable lands of Kivu.

15. The Rwandan Tutsi who now call themselves "Banyamulenge" only settled sedentarily on the high plateaux of Itombwe between 1959 and 1962, following the inter-ethnic strife in Rwanda on the eve of that country's independence.

16. Their refugee status was recognized and confirmed by the United Nations, including the Administrator of the United Nations Operation in the Congo (ONUC), and by representatives of the Red Cross and the Office of the United Nations High Commissioner for Refugees, who instructed all Rwandan refugees settled on the hills of Lemera, Mulenge and Katobo to remain strictly neutral and, above all, not to take part in any political movement in their capacity as refugees.

17. Mulenge, just referred to, is a village in the Bafulero community (territory of Uvira, province of South Kivu), inhabited entirely by members of the Bafulero tribe. It is therefore unacceptable that the name of this village should have now been transformed into the name of a tribe which never existed in the Democratic Republic of the Congo.

18. The inter-ethnic conflicts in the region basically involve t[illegible] Tutsi and the Hutu.

19. According to the Kenyan Professor Mazrui, one effective way to put an end to the proliferation and cyclical resurgence of ethnic conflicts in Africa would be to set up mono-ethnic States. This would require the redrawing of the borders set by the 1885 Berlin Conference. Professor Mazrui, at the invitation of Salim Ahmed Salim, Secretary-General of the Organization of African Unity (OAU), had a chance to write a paper and expound his theory to African leaders, first in Cairo and then in September 1994 in Addis Ababa, on the occasion of the celebration of the twenty-fifth anniversary of the OAU Convention on African Refugees and the twentieth anniversary of the OAU Office for African Refugees. By this time, the mass exodus of Hutu refugees to the Democratic Republic of the Congo had already taken place. This lent weight to the long-cherished idea of creating a Hima State. Establishing such an empire would pose the problem of where to put the Bantu, Hutu and Baganda of Rwanda and Uganda; thus the idea gained ground of creating a Hutuland on the eastern flank of the Democratic Republic of the Congo.

20. In 1994, nearly 3 million Rwandan refugees, including 30,000 members of the former FAR and the "Interahamwe" militias, entered North Kivu (2 million) and South Kivu (1 million), fleeing the ravages of the civil war in Rwanda.

21. In September 1994, following the mass entry of Hutu refugees from Rwanda into the Democratic Republic of the Congo, President Museveni of Uganda, accompanied by Vice-President Kagame of Rwanda, arrived in the Rwandan town of Gisenyi, across the border from the Congolese town of Goma, and made a violent speech in which he proposed raising an army to drive the dictators out of Africa. He added that if by chance someone threatened the Front patriotique rwandais (FPR) regime in Kigali, he would be ready to organize an alliance to drive out the devil, in a barely veiled allusion to the much decried figure of President Mobutu.

22. On 10 October 1996, the President of Rwanda, Mr. Pasteur Bizimungu, made another violent speech in Cyangungu, a Rwandan town across the border from the town of Bukavu, inviting the "Banyamulenge", Rwandan refugees of Tutsi origin from 1959 and 1960, to take up arms against the Democratic Republic of the Congo, then Zaire, in order to recover their rights to nationality on what he called "the land of their ancestors". He further said that Rwanda was prepared to commit its army against the Democratic Republic of the Congo in order to help the "Banyamulenge", and proposed the holding of a second Berlin international conference to redefine the borders delineated in 1885. The Rwandan President stated on that occasion "if Zaire [now the Democratic Republic of the Congo] no longer wants the Banyamulenge, let it give them back to us with their land" - in other words, the land these refugees were occupying in the Democratic Republic of the Congo!

23. This is sufficient proof of the hegemonistic and irredentist designs harboured by Rwanda with respect to the Democratic Republic of the Congo, through which the Rwandan authorities see in a possible annexation of the eastern part of the Democratic Republic of the Congo a means of disencumbering Rwanda of part of its population, while at the same time enhancing the supremacy of the Tutsi community over the various other tribes in the region.

24. These threats were renewed in August 1998 by the Rwandan and Ugandan Ministers for Foreign Affairs, both of whom reiterated the expansionist ambitions of their respective countries. Their aim of splitting up Africa again with a view to establishing mono-ethnic micro-States for purposes of ethnic and economic domination and control of major sources of raw materials, over a buffer zone extending from the north of the mining province of Katanga to southern Sudan, passing through the forests of Maniema province, the Ruzizi valley in south Kivu province, north Kivu and Eastern Province, areas that contain major reserves of raw materials and strategic minerals such as gold, diamonds, oil, niobium, etc., no longer requires any demonstration.

III. THE FACTS

25. A few days after the departure of a number of Rwandan and Ugandan soldiers, the Congolese people witnessed the following facts:

(a) The refusal of certain Rwandan and Ugandan armed elements to leave Congolese territory;

(b) Simultaneous mutinies in a number of military garrisons;

(c) Leading Tutsi figures seeking refuge in certain embassies;

(d) The defection of political figures said to be Banyamulenge who immediately proceeded to Kigali to support the armed aggression against the Congo.

26. They include:

(a) Deogratias R. Bugere, Minister of State attached to the Office of the President of the Republic;

(b) Bizima Karaha (real name Bizimana Karahamuheto), Minister for Foreign Affairs;

(c) Michel Rudatenguha, Adviser in the Office of the President of the Republic, temporarily in charge of the Office for the Management of Misappropriated Goods (OBMA);

(d) Moise Muhizi Nyarugabo, President and Director of OBMA;

(e) Samson Muzuri, ambassador;

(f) Azaria Ruberwa Manywa, Chef de Cabinet of the Minister for Foreign Affairs;

(g) Gervais Ng. Ruboneka, adviser to the Minister for Foreign Affairs.

27. On 2 and 3 August 1998, with no advance notice, columns made up of a number of Rwandan army lorries carrying heavily armed soldiers violated the Congolese borders to invest the towns of Goma and Bukavu.

28. At the same time as these events were taking place in the east of the country, in Kinshasa a group of Rwandan soldiers which had evaded the repatriation operation assaulted the Tshatshi and Kokolo camps.

29. In Kisangani, still during the same night of Sunday, 2 August to Monday, 3 August 1998, another group of Rwandan soldiers awaiting repatriation opened fire on the Kisangani garrison.

30. On Tuesday, 4 August 1998, three Boeing aircraft from Congolese airlines, namely Congo Airlines, LAC and Blue Airlines, were diverted on leaving Goma by James Kabarehe, a Rwandan national, who until July 1998 had been serving as acting Chief of Staff of the Congolese armed forces. They landed at Kitona and disembarked some 800 Rwandan troops there with the purpose of:

(a) Trying to win over the Congolese troops being trained at that base;

(b) Cutting off Kinshasa by seizing, inter alia, the maritime ports of Banana, Boma and Matadi, river routes from the south-west which are vital for the capital's supply of essential commodities and oil products;

(c) Investing the hydroelectric dam at Inga which provides electricity for the province of lower Congo, the city of Kinshasa, the mining operations in Katanga and a number of other countries in central and southern Africa;

(d) Seizing Kinshasa, by way of Lower Congo, in order to overthrow the Congolese Government headed by President Laurent Désiré Kabila with a view to installing a Tutsi or Tutsi-controlled regime.

31. On Friday, 7 August 1998 some 30 officers of the Congolese armed forces, singled out after being taken hostage, were executed. Saturday, 8 August 1998 saw the beginning of deportation of members of the civilian population from Bukavu to the concentration camps in Rwanda to be massacred or summarily executed.

32. In order to perform their foul work without witnesses, the Rwandan troops drove out all the international humanitarian organizations, including UNHCR, UNICEF, WHO and Médecins sans frontières, compelling them to transit through Kigali for a systematic search by a military escort, thus preventing any compilation of information on the massacres and plunder conducted in the areas occupied by Rwanda.

33. On 8 August 1998 Ugandan troops invaded the territory of the Democratic Republic of the Congo via Aru with two columns of armoured vehicles, some 10 assault tanks and seven lorries carrying armed troops.

34. On Friday, 9 August 1998, at 11 a.m. (9 a.m. GMT), a heavy transport aircraft of the Ugandan army landed at Nebbi, a Ugandan district very close to Karobo, roughly 20 kilometres from Mahagi in Congolese territory. The aircraft unloaded a large consignment of weapons and munitions. These were distributed to the garrisons at Fahidi, Huruti, Mbo and Mee to enable them to provide support for the Ugandan-Rwandan coalition in the Congo.

35. In the course of their advance, despite the protests of the Congolese Government calling on Uganda to withdraw its troops immediately, on Thursday, 13 August 1998 the latter invested the town of Bunia in Eastern Province.

36. The same day, the Inga hydroelectric dam was occupied by the forces of the Rwandan-Ugandan coalition. They decided to cut off the supply of electricity and water to the capital, Kinshasa.

37. On 23 August 1998, Ugandan troops attacked the town of Kisangani.

38. These facts, which have been verified by independent observers, prove Kampala's involvement in the vast plot aimed at balkanizing the Democratic Republic of the Congo, in defiance of international law and the principle of inviolability of the borders inherited from the colonial period governed by the Charter of the Organization of African Unity.

IV. TESTIMONY AND EVIDENCE

Professor Joseph Mpangu, coordinator of the study group on the situation in the Great Lakes region

39. In exile in Nairobi, he confirmed in a statement on Radio France internationale the presence in Bukavu of 2,000 armed troops who had come from Rwanda through Ruzizi, Sinelac.

The French Minister of Cooperation, Charles Josselin

40. Following a visit to Africa, he acknowledged on Radio France internationale the participation of Rwandan troops in the armed aggression under way in the Democratic Republic of the Congo.

The pilot of the Nigerian aircraft belonging to the company Atlantic and chartered by the Congolese airline Lignes Aériennes Congolaises (LAC)

41. The Nigerian captain stated that he had transported from Goma to Kitona, via Kigali, military equipment and Nilotic armed personnel under the command of a certain James.

The South African Minister for Foreign Affairs, Mr. Alfred Nzo

42. In a speech to the South African Parliament on the crisis in the Democratic Republic of the Congo, he confirmed the direct involvement of Rwanda and Uganda in the armed aggression against the Democratic Republic of the Congo.

The report of the four Ministers for Foreign Affairs of Zimbabwe, the United Republic of Tanzania, Zambia and Namibia, who had been requested by the Southern African Development Community (SADC) to conduct a fact-finding mission in the Democratic Republic of the Congo, Rwanda and Uganda

43. In their report to Mr. Mugabe, Chairman of the Victoria Falls mini-summit attended by Presidents Bizimungu (Rwanda), Museveni (Uganda), Mugabe (Zimbabwe) and Kabila (Democratic Republic of the Congo), the four Ministers for Foreign Affairs of SADC member countries provided clear evidence of the direct involvement of Rwanda and Uganda in the armed aggression against the Democratic Republic of the Congo.

V. SITUATION ON THE GROUND

44. The combat zones are:

East

- The town of Goma;
- The town of Bukavu;
- The town of Uvira;
- The town of Bunia.

West

- Base in Kitona;
- The town of Moanda;
- The town of Banana;
- The town of Boma;
- The site of the Inga hydroelectric dam;
- The port of Matadi.

45. The humanitarian situation is characterized by:

(a) Massacring of civilian populations, including children, women and elderly persons, and particularly the execution of 949 civilians in the Matadi

region in the west, and of over one hundred people in Kasika, in the Mwenge territory, near the town of Uvira in the province of South Kivu;

(b) Mass deportation to Rwanda of populations in the Kivu, for the secret purpose of removing the region's indigenous population for the benefit of Tutsis from Rwanda and Uganda;

(c) Summary executions of prisoners of war;

(d) Capture, for purposes of extortion, of civilian targets such as the Inga hydroelectric dam, which has cut off the supply of electricity and water. This heinous act has had harmful consequences for the populations whose electric power is supplied by this dam, including:

(i) Difficulty in obtaining drinking water, which is essential for the populations' survival. This situation is likely to result in a number of epidemics (cholera, typhoid fever, etc.);

(ii) Power shortages, which interrupt the functioning of services provided in hospitals, many of which lack generators (paralysis of operating rooms, incubators and respirators, morgue refrigerators, etc.);

(iii) Difficulty, for many housewives, in preserving staple foods, etc.

VI. EXTERNAL REACTIONS

46. Despite the many diplomatic efforts made both at the African level and at the level of the United Nations system, particularly through the Permanent Mission of the Democratic Republic of the Congo to the United Nations (see letters dated 19 and 20 August 1998, respectively, addressed to the Secretary-General of the United Nations, as well as those dated, respectively, 4, 10, 14, 18 and 19 August 1998), the reactions of the international community have not been commensurate with the tragedy.

47. United Nations. Though seized of the matter, the Organization has not deigned to fulfil its responsibility under the relevant provisions of the Charter, particularly Chapter VII, which recommends action with respect to threats to the peace, breaches of the peace and acts of aggression. The Security Council, in a statement that must, at the very least, be described as timid, merely called for a ceasefire, whereas, in similar cases such as those of Kosovo, Bosnia and Herzegovina and Kuwait, the Council had taken prompt action to determine the responsibilities of the parties and to restore peace.

48. Organization of African Unity. The Secretary-General of OAU reacted by belatedly dispatching a fact-finding mission to the Democratic Republic of the Congo, Rwanda and Uganda.

49. In a statement to the press, the current Chairman of OAU, Blaise Compaoré, highlighted the complex nature of the problems in the Great Lakes region and of those underlying the situation in the Democratic Republic of the Congo.

50. Western Powers. Though their position is ambiguous, most Western countries seem to prefer the military option in favour of the Rwandan-Ugandan coalition. This has been manifested, inter alia, by:

(a) The request, made by one Western Power in December 1997, to the countries bordering on the Congo not to become involved in a Congolese conflict;

(b) The unfriendly and hostile statements made by some Western officials;

(c) The media campaign in favour of the Rwandan-Ugandan coalition;

(d) The presence of 250 French para-commandos in Brazzaville;

(e) The overflight of Congolese territory by foreign army helicopters;

(f) The positioning of spy satellites over the city of Kinshasa.

51. It is important to highlight the statements made by the French Minister for Cooperation, Charles Josselin, and the former United States Assistant Secretary of State for African Affairs, Herman Cohen.

Statement by Mr. Josselin

52. Mr. Josselin said that, as France was not aware of the situation on the ground, the balance of power or the intentions of the parties to the conflict, it could not side with either party. He also said that President Kabila was undoubtedly a military leader, but not the man to lead a country the size of a continent.

Statement by Herman Cohen

53. In his statement, Mr. Cohen said that the situation was not the same as in 1997, when it had involved getting rid of Mobutu, and that the country could not change presidents every six months. He said that the Congolese people supported Kabila because he had taken the popular step of expelling the Rwandans, and that the war therefore would not last long. After the war, he said, Mr. Kabila should draw a lesson from it by surrounding himself with experienced men, of whom there were many in the Democratic Republic of the Congo.

54. The European Union reacted by refusing to side with either party.

VII. CONCLUSION

55. In the light of the foregoing, the Government of the Democratic Republic of the Congo calls upon the international community to put a stop to the barbarous aggression being perpetrated against it.

56. More than once, the Democratic Republic of the Congo has appealed to its neighbours to join it in building regional peace based on reciprocal interests. However, to its great regret, it finds that its desire to export a culture of peace, friendship and development to the peoples of the Great Lakes region is

being thwarted by belligerent, irredentist and expansionist aims designed to destabilize and destroy the Congolese State so as to splinter it into a number of micro-States.

57. The Government of the Democratic Republic of the Congo believes that the time has come for the United Nations to fulfil the responsibilities assigned to it by the Charter in the event of aggression against a Member State. This action is all the more important in that it will prevent discriminatory treatment of the current situation of the Democratic Republic of the Congo from seriously undermining the credibility of the United Nations and the confidence of its Member States in the system of collective security instituted by this universal Organization.

58. In any event, the Democratic Republic of the Congo will never accept hegemony of any kind, regardless of its origin. The Republic is unshakeably resolved to remain united, within the current boundaries of its territory.

59. In view of the laxity displayed by the international community, the Democratic Republic of the Congo has made it a point of honour to organize its own defence, in accordance with Article 51 of the Charter of the United Nations, in order to recover its territory occupied by enemy forces.

60. The Democratic Republic of the Congo declares that it has no wish to make war on any State. It is merely defending its sovereignty and territorial integrity. Therefore, unless the aggressors see fit to withdraw their troops, the Democratic Republic of the Congo vows to use all means at its disposal to put an end to this aggression.

61. The Government of the Democratic Republic of the Congo merely intends to reestablish its authority over its entire territory in accordance with the principles of territorial integrity and inviolability of internationally recognized State borders.

62. The Democratic Republic of the Congo remains convinced that a military victory cannot guarantee or create conditions conducive to peace in the region.

63. The Democratic Republic of the Congo wishes to reaffirm that in carrying out its constitutional duty to defend the country, it has no hegemonic intentions or designs on the territory of neighbouring countries.

64. On several occasions, the Democratic Republic of the Congo has expressed its determination to complete the ongoing process of democratization in a firm and resolute manner. It is its hope that the current crisis will be brought to a rapid conclusion in order not to disrupt the normal course of this process, the success of which is an essential condition for peace and lasting stability in the country, and hence in the entire Great Lakes region.

65. The Government of the Democratic Republic of the Congo wishes to alert the international community to the risks posed by destabilization of the Democratic Republic of the Congo. The unfortunate effects of this instability would result in lasting damage to peace in the Central African region.

66. The Democratic Republic of the Congo considers that dialogue and cooperation are useful and necessary means for the resolution of armed conflicts. It therefore supports without reservation the initiatives of the Organization of African Unity, the summit held at Victoria Falls and SADC, and firmly rejects any systematic recourse to force such as that advocated by the Rwandan-Ugandan coalition.

67. Following the withdrawal of all foreign occupying troops from its national territory, the Democratic Republic of the Congo will be fully open to any dialogue.

68. The Democratic Republic of the Congo reiterates its willingness to meet fully its responsibility towards all Rwandans, Ugandans and other foreigners who have chosen to live on Congolese soil. The search operations currently being carried out in some of the country's cities are intended only to neutralize the web of complicity woven by the aggressors within the country.

69. The Government of the Democratic Republic of the Congo intends to reverse the negative perception of the Tutsi in the Congolese community, which does not understand how fellow citizens who call themselves "Banyamulenge" of Congolese nationality can so easily cast their lot with the Rwandan Tutsi, who are clearly foreigners. This is not at all true of other, far more numerous, refugee populations.

70. The Congolese people also fail to understand why individuals who claim to share their nationality invoke the 1994 Rwandan genocide, for which they have taken, and continue to take, vengeance, in order to perpetuate a certain illusion of persecution and point to alleged additional massacres of Tutsi as a means of attracting the sympathy of the international community.

71. The Democratic Republic of the Congo considers that the use of force is not a solution to the integration of Tutsi populations of Rwandan origin into the Congo. This issue must be resolved within an appropriate legal framework and, in particular, one defined by the new Constitution of the Democratic Republic of the Congo.

72. The Democratic Republic of the Congo notes certain States' indifference, lethargy, complicity and even support for the armed aggression which Rwanda and Uganda (both led by the minority Tutsi power) have unleashed against the Democratic Republic of the Congo since 2 August 1998.

73. It is clear that the aggression of which the Democratic Republic of the Congo is a victim is the work of the Ugandan-Rwandan coalition. What some have sought to portray as a "Banyamulenge insurrection" is neither more nor less than crude window-dressing intended to mask the destabilizing efforts of Mr. Museveni and Mr. Kagame, whose expansionist designs on Congolese territory no longer require any demonstration. The Tutsi refugees of Rwandan origin, of whom there are no more than 50,000, have neither the human resources nor the financial means to raise an army capable of igniting conflict throughout much of Congolese territory.

74. The violations committed by the aggressor countries are clear from the point of view of international law: acts of aggression, violation of the sovereignty and territorial integrity of a State Member of the United Nations, violation of the basic rules and principles of international humanitarian law, massive human rights violations, etc.

75. The entry of Rwandan and Ugandan troops into Congolese territory constitutes an act of aggression under United Nations General Assembly resolution 3314 (XXIX) of 14 December 1974, entitled "Definition of Aggression".

76. This act of aggression is contrary to the policy of good-neighbourliness advocated by the Charter of the United Nations. The Congolese Government wishes to draw the attention of the Security Council to the fact that the policy of good-neighbourliness is one of the guiding principles of its foreign policy.

77. By their military attack on the Democratic Republic of the Congo, Uganda and Rwanda have violated the fundamental principles which should govern relations between States Members of the United Nations, particularly the injunction to refrain from the use of force and the need to develop friendly relations.

78. The violation of the sovereignty and territorial integrity of the Democratic Republic of the Congo by Uganda and Rwanda contravenes the provisions of Article 2, paragraph 4, of the Charter.

79. Ugandan and Rwandan troops are also engaging in massive human rights violations in the areas of conflict, including violations of the freedom and security of the Congolese people, torture and cruel, inhuman or degrading treatment, failure to respect the right of peoples to self-determination and to full control of their assets and national resources and violation of the right to health and the right to freedom from hunger.

80. Since 17 May 1997, the Democratic Republic of the Congo has experienced peace and tranquillity both within and outside its borders. The Congolese Government reaffirms its commitment to the principles of the Charter of the United Nations and that of the Organization of African Unity.

81. The Democratic Republic of the Congo does not practice a policy of warmongering, nor does it wish to make war on any State. It is merely exercising its natural right of individual or collective self-defence, in accordance with Article 51 of the Charter, in order to regain its sovereignty and territorial integrity. The sole purpose of the military operations currently being carried out, with the help of some members of SADC, in certain cities and regions of the country is to repel the Ugandan-Rwandan aggression and to neutralize the web of complicity woven by the aggressors within the country.

82. The aggression of which the Democratic Republic of the Congo is a victim constitutes a threat to peace and security in Central Africa and the Great Lakes region.

83. For the foregoing reasons, the Democratic Republic of the Congo calls on the Security Council to condemn the Ugandan and Rwandan aggression and to take measures with a view to achieving:

(a) The withdrawal of the foreign occupying troops;

(b) Respect for the territorial integrity, unity and inviolability of the Congo's borders;

(c) An end to the violations of human rights and of the fundamental rules of international humanitarian law;

(d) Compensation of Congolese victims of murder and looting.

84. The Congolese Government, which, in cooperation with the United Nations Development Programme, organized a summit of Heads of State and Government on peace, stability and development of the Great Lakes subregion in May 1998, would support the organization of an international conference on peace, security and development in the Great Lakes region on the condition that certain prerequisites, including withdrawal of the foreign occupying troops and respect for inherited colonial borders and for Congolese institutions, were met.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1998/828
2 September 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 31 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued on 28 August 1998 by the Presidency of the European Union on the recent developments in the Lockerbie case.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Ernst SUCHARIPA
Permanent Representative of Austria
to the United Nations

98-25626 (E) 020998 020998

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Annex

[Original: English and French]

Statement on the recent developments in the Lockerbie case, issued on 28 August 1998 by the Presidency of the European Union

The European Union welcomes the readiness of the Governments of the United Kingdom of Great Britain and Northern Ireland and the United States of America to accept a trial before a Scottish court under Scottish law in the Netherlands and the offer to allow international observers to attend the trial.

The European Union thanks the Government of the Kingdom of the Netherlands for its willingness to host such a court.

The European Union also welcomes the Libyan announcement that it would deal positively with the proposal of the United Kingdom and the United States. The European Union expects Libya to accept it and to fully implement the provisions of Security Council resolution 1192 (1998) and all other relevant Security Council resolutions.

UNITED NATIONS **S**

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S/1998/829
3 September 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 2 September 1998 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. The Minister calls attention to the violations of Iraq's airspace committed by the United States U-2 spy plane on the pretext of carrying out an aerial survey for the Special Commission and urges that Iraqi aircraft rather than foreign equipment be used in the Special Commission's work.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

98-25762 (E) 040998 040998

Annex

Letter dated 2 September 1998 from the Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I have the honour to refer to my letter to you of 30 May 1998 (S/1998/451) concerning the violation of Iraqi airspace by a United States U-2 spy plane on the pretext of making an aerial survey for the United Nations Special Commission.

I should like to inform you that this aircraft, operating from Saudi territory, has continued to enter Iraqi airspace, undermining Iraq's sovereignty and security. From the first such operation, in August 1991, through the end of June 1998, this aircraft has made 416 flights lasting a total of 1,824 hours and 27 minutes.

The facts that have been brought to light since this aircraft was first used, which I set out in the aforementioned letter, compound the notoriety which this aircraft has acquired in the course of prior acts of espionage carried out over various parts of the world and make it imperative for the United Nations to reconsider the continued use of this aircraft, which the United States of America is using by force to violate Iraqi airspace and to spy on Iraq, and not to achieve the objectives of the Special Commission. This completely contradicts the purposes and principles of the Charter of the United Nations, namely respect for the sovereignty of all Member States and non-intervention in their internal affairs.

While strongly condemning these unjustified violations of Iraq's airspace, I should like on this occasion to reiterate the request which I have constantly made in my previous letters to the Secretary-General of the United Nations, which to date number 133, inviting the Special Commission to use Iraqi aircraft, and not foreign aircraft, in its work so as to prevent any possibility of such aircraft being used for purposes that undermine the sovereignty and security of Iraq.

(Signed) Tariq AZIZ
Deputy Prime Minister and
Acting Minister for Foreign Affairs
of the Republic of Iraq

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1998/830
3 September 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, and with reference to the informal letter which the Executive Chairman of the United Nations Special Commission, Mr. Richard Butler, sent to you on 1 September 1998, I have the honour to transmit to you herewith the observations of Lieutenant-General Amer Al-Saadi regarding that letter.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

98-25768 (E) 040998 040998

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Annex

[Original: English]

Comments by Lieutenant-General Al-Saadi, adviser to the Presidency of Iraq, concerning the letter dated 1 September 1998 from the Executive Chairman of the Special Commission to the President of the Security Council and the briefing notes attached thereto

It is necessary to respond to the letter dated 1 September 1998 from the Executive Chairman of the Special Commission addressed to the President of the Security Council for circulation on an informal basis to the members of the Security Council. The letter was supposed to provide further information on three subjects related to disarmament. The information notes attached to the letter contained some misrepresentations, errors and omissions of fact that cannot be overlooked, as follows:

1. On the VX issue, the notes ignore two important events that took place during June and July 1998.

(a) On 21 and 22 June 1998, Special Commission inspectors Nikita Smidovich, John Stellings and Hamish Killip (team 240 D) took swipe samples from warhead remnants, stating that the new samples were necessary to confirm the findings of the first analysis for chemical weapon and biological weapon trace material. As far as we know, the Special Commission has not so far informed the Security Council and Iraq of the results of these tests;

(b) On 14 July 1998 the 246 team took two sets of 40 swipe samples of some specific warhead remnants chosen by the inspectors Tim Blades and Igor Mitrokhin for further analysis at French and Swiss laboratories. Up to the present, no information on the progress of the analysis was provided by the Special Commission to the Security Council or to Iraq. The Executive Chairman stated during the high-level talks in Baghdad on 3 August 1998 that he expected to receive weekly progress reports from the French and Swiss laboratories, which he would share with the Iraqi side. The notes mention that Iraq stated that it had not produced stabilized VX or weaponized VX agent in warheads, yet the Special Commission still presumes that what the American army laboratories found is final. In addition, the Special Commission demands that Iraq provide an explanation for the presence of the degradation products and stabilizer degradation products regardless of what the results of the French and the Swiss laboratories analysis may show and without reference to confirmation analysis, which should have been finished by now, on the samples taken on 21 and 22 June 1998. This attitude exemplifies the lack of impartiality and the readiness of the Executive Chairman to jump to conclusion in his dealings with Iraq.

2. The briefing notes on the VX issue also misrepresent the Deputy Prime Minister's statements on the subject by implying that the Deputy Prime Minister had said that "if Iraq had filled warheads with VX, those warheads would have been amongst those which had been destroyed and therefore would no longer be of

significance". The Deputy Prime Minister's statement is on record on audiotape and videotape. In it he clearly maintains that Iraq neither produced nor filled VX in the warheads. The statement is reiterated in the letter of 5 August 1998 from the Deputy Prime Minister to the President of the Security Council (see S/1998/718, p. 7, para. 2 (c) for the correct statement).

3. On the verification of the material balance of the special munitions, it is to be recalled that the schedule of work on the outstanding disarmament issues dated 14 June 1998 agreed upon during the high-level meeting in Baghdad identified two subjects to be addressed in that area from the disarmament perspective, namely, 155 mm munitions and R-400 bombs. During the same meeting, the Executive Chairman reiterated that only the issues mentioned in the schedule of work remained, and no further issues would be raised.

4. In his notes to the Council, the Executive Chairman deliberately resurrects an old issue, that of the Iraq/Iran war, to confuse the Council that the work of his predecessor covering the period 1981 to 1988 in the chemical area is far from complete. This behaviour reveals without a doubt the attitude of the present Executive Chairman regarding his tasks in the disarmament area and confirms our belief that under his direction the work on disarmament will never end.

5. On the biological weaponization, it is to be recalled that Iraq obliterated the biological weapons programme in 1991 before the Special Commission teams began their work in Iraq. The destruction included all the documentation; however, a number of important documents and reports were found and presented to the Special Commission.

6. It was established that 25 special biological weapons warheads were produced and filled with three agents A, B and C. A document was found indicating that the agents were filled in the warheads in a combination of 16, 4 and 5 for the three agents, but there was no direct evidence regarding which of the agents was filled in each of the groups of the warheads. In view of the known quantities of agents produced in 1990 (documented) and the recollection of the personnel involved in the filling, the full, final and complete disclosure argued that the combination for the groups of warheads filled were 16 with agent A, 4 with agent C and 5 with agent B. The remainder of the quantity of the agents were filled in R-400 bombs.

Inspector Smidovich (team 252), during the meeting in Baghdad from 27 to 31 July 1998, stated that laboratory analysis of samples of the warhead remnants showed that at least seven warheads had traces of anthrax (agent B) in them and asked the Iraqi side to explain that. Lieutenant-General Rashid replied that when reviewing Iraq's biological weapons full, final and complete disclosure he noticed that in view of the known quantity of agents produced in 1990 and the quantity of the agents transferred to the filling station, the alternative of 16 B, 4 C and 5 B could be equally valid in the absence of a definitive document. The balance of the remaining quantity of agents would have been filled in the R-400 bombs, the number of which is defined by documents. Thus, there would be no change in the material balance of the totals for the warheads, the bombs and the quantity of agents filled. It is curious to note that the Executive Chairman expects Iraq to provide documents to support this major

change in Iraq's declaration. At the same time, the Special Commission has not provided any written report on the anthrax trace analysis which calls for such a change. The formal report on the analysis, submitted to the Security Council on 22 June 1998, lists only four warheads, not seven, showing traces of anthrax, which tends to confirm Iraq's account given in the full, final and complete disclosure.

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A/53/317
S/1998/831
3 September 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Item 149 of the provisional agenda*
CONSIDERATION OF EFFECTIVE MEASURES
TO ENHANCE THE PROTECTION, SECURITY
AND SAFETY OF DIPLOMATIC AND CONSULAR
MISSIONS AND REPRESENTATIVES

SECURITY COUNCIL
Fifty-third year

Letter dated 2 September 1998 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to express grave concern about the contradictory reports coming from Afghanistan and the region concerning the fate of the staff of the Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif and the correspondent of the Islamic Republic News Agency in that city after their abduction by offensive forces of the Taliban on 8 August 1998. The most disturbing news is the British Broadcasting Corporation interview with Mullah Mohammad Omar, published at 1525 (GMT) on 31 August, in which he reportedly referred to the Iranian diplomats and curtly said: "Taliban soldiers acting without the leadership's knowledge may have killed them". The Islamic Republic of Iran views the statement attributed to the leader of the Taliban as extremely irresponsible and an indication that the lives of Iranian diplomatic personnel and the Islamic Republic News Agency correspondent in Mazar-e-Sharif may be in serious danger.

Following my consultations with your Special Envoy for Afghanistan and with the Under-Secretary-General for Political Affairs last week about the dispatch to Afghanistan of a fact-finding mission to determine the fate of the personnel of the Consulate-General and other Iranian nationals there, as well as the extensive consultations by the Islamic Republic of Iran in the region, I wish to inform you that there is significant reception in the region for such a mission.

Recalling paragraph 8 of Security Council resolution 1193 (1998) of 28 August 1998, which reads: "Condemns also the capture of the

* A/53/150.

Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif, and demands that all parties and, in particular the Taliban, do everything possible to ensure safe and dignified passage out of Afghanistan of the personnel of the Consulate-General and other Iranian nationals missing in Afghanistan", and in the light of the disconcerting and contradictory reports, which have given the issue even more urgency, I have the honour to request that you use your good offices and urgently dispatch a fact-finding mission to Afghanistan on this potentially perilous issue.

The Islamic Republic of Iran believes that with the cooperation of the parties concerned in good faith, the fact-finding mission will be in a position to help resolve this critical problem and thereby to prevent further complication of the situation.

It would be highly appreciated if the present letter were circulated as a document of the Security Council and of the General Assembly, under item 149 of the provisional agenda of the fifty-third session.

(Signed) Hadi NEJAD HOSSEINIAN
Ambassador
Permanent Representative

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General Assembly
Security Council

Distr.
GENERAL

A/52/1030
S/1998/832
3 September 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 2 September 1998 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 2 September 1998, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex, which contains a letter of His Excellency Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, concerning the proposals of 31 August 1998 made to Mr. Glafkos Clerides, the leader of the Greek Cypriot administration, towards a viable and just settlement of the Cyprus dispute, would be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Volkan VURAL
Ambassador
Permanent Representative

ANNEX

Letter dated 2 September 1998 from Mr. Aytuğ Plümer addressed to the Secretary-General

I have the honour to enclose herewith a copy of the letter dated 2 September 1998 addressed to you by His Excellency Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, concerning the proposals of 31 August 1998 made to Mr. Glafkos Clerides, the leader of the Greek Cypriot administration, towards a viable and just settlement of the Cyprus dispute (see appendix).

I should be grateful if the text of the present letter and its appendix would be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus

APPENDIX

Letter dated 2 September 1998 from Mr. Rauf R. Denktaş addressed to the Secretary-General

I have the honour to enclose herewith a copy of the proposals I have made to Mr. Glafkos Clerides, the leader of the Greek Cypriot administration on 31 August 1998, towards a viable and just settlement of the Cyprus dispute (see enclosure).

The said proposals, which are self-explanatory, have been made in good faith with a view to creating the basis on which negotiations between true equals can take place. They present an historic opportunity for the final settlement of this long-standing dispute and, if seized upon, will contribute to the strengthening of peace and stability in our entire region. I am sure you will appreciate the particular importance of this, at a time when the other side is engaged in policies raising tension and perpetuating division on the island.

You will no doubt observe that our proposals uphold the principle of the equality of the two peoples on the island. This equality, which was enshrined in the 1960 Agreements, has always been the fundamental basis of the search for a solution in Cyprus in the exercise of the mission of good offices of the Secretary-General. Furthermore, the proposals aim to uphold and strengthen the all-too-important balance between Turkey and Greece over Cyprus established by the Agreements and the state of affairs created by them.

We sincerely hope that, in spite of its initial reaction, the Greek Cypriot side, after serious consideration of this constructive initiative, will give a positive response in a reciprocal spirit of goodwill. We trust that both Your Excellency and all those who wish to contribute to the settlement of this dispute will urge the Greek Cypriot side to do so.

I would be grateful if the present letter and its enclosure could be brought to the attention of the members of the Security Council.

(Signed) Rauf R. DENKTAŞ
President

ENCLOSURE

Proposal for a lasting solution in Cyprus issued at Lefkoşa on 31 August 1998 by President Rauf R. Denktaş

As a final effort to achieve a mutually acceptable lasting solution in Cyprus, I propose the establishment of the Cyprus Confederation based on the following arrangements:

1. A special relationship between Turkey and the Turkish Republic of Northern Cyprus on the basis of agreements to be concluded.

2. A similar special relationship between Greece and the Greek Cypriot administration on the basis of symmetrical agreements to be concluded.

3. Establishment of a Cyprus Confederation between the Turkish Republic of Northern Cyprus and the Greek Cypriot administration.

4. The 1960 Guarantee System shall continue.

5. The Cyprus Confederation may, if parties jointly agree, pursue a policy of accession to the European Union. Until Turkey's full membership in the European Union, a special arrangement will provide Turkey with the full rights and obligations of a member of the Union with regard to the Cyprus Confederation.

The ultimate aim of the negotiations will thus be a partnership settlement which will be a confederated structure composed of two peoples and of two States of the island supported by symmetrical agreements with the two respective motherlands and Guarantor States. All rights and powers which are not referred to the confederal entity will reside with the two confederated States. Any agreement to be reached as a result of the negotiations will be submitted for approval in separate referenda.

By participating in these negotiations the parties will acknowledge that the Greek and Turkish Cypriot sides are two sovereign and equal States, each with its own functioning democratic institutions and jurisdiction, reflecting the political equality and will of their respective peoples. They will also acknowledge that the authorities of one party do not represent the other.

We believe that only this structure:

(a) Will provide for the security of both sides;

(b) Will safeguard their identity and well-being.

If the Greek Cypriots agree to this final basis, we are ready to begin negotiations to establish the Cyprus Confederation.